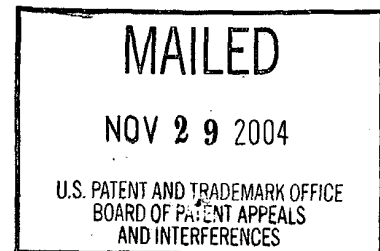


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Ex parte MAY SHANA'A,  
MICHAEL C. CHENEY,  
CRAIG S. SLAVTCHEFF,  
BRIAN J. DOBKOWSKI,  
ROSA PAREDES,  
MARION L. MARGOSIAK,  
CHRISTY BRIDGES, and  
MARCINA SICILIANO



Application No. 09/930,320

**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

This application was electronically received at the Board of Patent Appeals and Interferences on July 30, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The Patent and Trademark Office PHOENIX APPLICATION MANAGEMENT SYSTEM database "Content Information" shows the Examiner's Answer to Appeal Brief was dated 05-05-2004, and that on 5-12-2004 "Mail returned to USPTO as undelivered." It is unclear whether the Examiner's Answer was remailed to

Application No. 09/930,320

appellants. Clarification is required. If the Examiner's Answer was remailed, a notation should be made in the electronic file and the period for response reset.

Additionally, on August 16, 2004, appellants filed a Reply Brief. There is no indication on the record that these papers were considered by the examiner.

Accordingly, it is

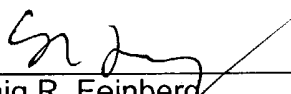
**ORDERED** that the application is electronically returned to the

Examiner to:

- (1) clarify if the Examiner's Answer was remailed, and if so, noted in the electronic file;
- (2) consider the Reply Brief;
- (3) written notification to appellants of said consideration; and
- (4) for such action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

  
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